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DOWNEYS FROM IRELAND

An Historical Chronicle
of
One American Family

by

Alice Downey Nelson
~~Alice Downey Nelson~~
~~Washington, D.C.~~.

57059

Christmas, 1956

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To my husband:

Without whose understanding and help this history could not have been written.

"Happy is the man who remembers his progenitors with pride, who relates with pleasure the story of their greatness, of their deeds and, silently rejoicing, sees himself linked to the end of this goodly chain."

Goethe

13-13-7615

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I N T R O D U C T I O N

If one is an ancestor searcher, it will consume many months of research to trace the records of his ancestors as far back as they are available. For those who had ancestors who came to America before the Revolutionary War, the Atlantic Ocean usually provides the starting point of his search. But even after the port of entry of any particular ancestor is established, many questions remain unanswered about his previous life. What motive led him to leave the old country and to seek a new way of life in a strange land many thousands of miles away? Did he find in America the fulfillment of the ambitions and dreams which led him to undertake the crossing of a wide and stormy ocean, leaving family and friends behind him?

This is an historical chronicle of six generations of one American family. It includes genealogical records which required months of research to find, and enlisted the aid of the Library of Congress, the D.A.R. Genealogical Library, the Archives of the United States, and the Hall of Records in Annapolis, Maryland to verify.

But the chief aim of this chronicle is not to set down genealogical records. Rather, it is to relate the story of certain events in American history

ERRATUM: To be inserted at *, page 2.

If they performed great deeds, their records are lost among those of a thousand others who built America.

When we come to the father of the third generation (Owen Dorsey Downey) the record of personal achievement becomes clear. The story of his life is recorded in history books, official public documents, and personal memoirs. He exhibits the political aptitude found later in many of his descendants. He it was who served in the legislatures of three states--an unusual record even for early America.

which affected the times and sections of the country in which the various generations of this family lived. From 1750-1950 America developed into the mightiest nation in the world. How did the political, economic and military factors of these two hundred years affect this family? What did its members contribute to the progress of their country in war and in peace?

The emigrant ancestor of this family came to America from Northern Ireland about 1760 and settled in Baltimore. He saw the beginning of an independent nation. He witnessed the stirring events of the American Revolution.

His youngest son became a wanderer. We find records of him in many different places. He saw the building of the National Road west, and he followed it into western Pennsylvania and Ohio. But, we know little of the personal lives of these two men.* He it was, who served in the legislatures of three states--an unusual record even for early America.

The father of the fourth generation was a pioneer statesman and a fearless hero of the Civil War. He had twelve children, all of whom led interesting and, for the most part, successful lives. One son became United States Senator from California; one daughter

was an internationally known psychologist, who wrote on two subjects for the Encyclopedia Britannica. I hope to touch briefly on the lives and accomplishments of this family.

If I appear to "wave the flag" too much, I make no apologies! I am happy to have this chance to express, in a small way, my deep and abiding love for my native land; my joy in its beautiful scenery; my admiration for the generosity of its people to those who need help; my thankfulness that I am an American enjoying the freedom and security of its flag. The more I read history, the greater is my conviction that love of one's native land is the greatest blessing and the finest incentive in man's constant struggle for a better civilization.

Turn now to Chapter One, if you care to read the story of how Thomas Downey came to America from Ireland. He landed in Baltimore about 1760, and thus became the emigrant ancestor of a large and vigorous group of descendants. However, in the seventh generation there are only five boys who are direct descendants of this line of the first Thomas Downey, who, themselves, bear the name of Downey.

But, there are many, many descendants of female lines to carry on the family, if not the name of Downey.

Chapter One

FIRST GENERATION

THOMAS DOWNEY FROM IRELAND

Although the name Downey is usually associated with families of the Roman Catholic faith, careful research seems to indicate that Thomas Downey belonged to the Protestant branch of the family and was of Scotch-Irish descent. His family probably came to Ireland from Scotland about 1616. Thomas was born in the North of Ireland about 1740. Sometime prior to the Revolutionary War, he and a brother Walter came to America and settled in Baltimore. They were both then unmarried.

The first census of the United States taken in 1790 shows that Thomas Downey was the head of a family in Baltimore County with two white male children under sixteen, and two over sixteen. (Page 29)

The first official record on which we find Thomas' signature is in the Hall of Records at Annapolis, Maryland. In months of searching for family records, this document was the most rewarding of any that I ever found. On a small piece of ordinary note-

paper in Box 3, Folder 14, Baltimore County, I found the signature of my great great grandfather and of his brother Walter pledging fidelity to the new Government of the United States. This "Oath of Fidelity" was signed on the 20th of February, 1778. These folders are among the most carefully guarded in Maryland's Archives. Fortunately for me Maryland is the model for all other states in its excellence in preserving and in making available its records to genealogists.

Two other important records of the first Thomas Downey were a part of my lucky find.

In a large volume (Wills - No. H - 1805-1810, Liber W. B. 3), I found a copy of his will:

Thomas Downey - His Last Will and Testament

In the name of God, Amen.

I, Thomas Downey of Baltimore County in the State of Maryland, make and ordain this my last Will and Testament.

I will and bequeath to my beloved wife, Frances, one-third of my estate.

Two-thirds of said estate is to be equally divided between my sons George, James, William, and Thomas.

I appoint George and Thomas joint executors.

signed - Thomas Downey

A third record shows that John Edwards and Alexis Lemon swore in open court that they had witnessed the signing of this will by Thomas Downey, who was now deceased. This deposition was dated November 4, 1809.

As far as I can determine, these are all the records available to tell the history of a courageous man, who left his homeland and crossed stormy, unknown seas in search of adventure and opportunity.

The past is full of missing persons. Only diligent searching and good luck enabled me to uncover this much information about my emigrant ancestor.

What was Baltimore like when Thomas Downey landed there circa 1760? What changes did he observe throughout his lifetime there? Undoubtedly, the most important event he witnessed, as he watched the new world grow, was the Revolutionary War. A new country was born and history dramatically changed.

Baltimore was not a new city when Thomas arrived. By 1760, one hundred and fifty years of history lay behind the people of the new world. Most of those that came to America intended to remain to make their fortunes there. Whatever factors were to

the interest and advantage of the new country were, by the same token, to their advantage. More and more children were now native Americans by 1760. As the years passed, loyalty to the Crown and to its officers became little more than a gesture. The interests of the Crown and of the native Americans began to conflict more and more. In the 1700's this conflict progressed rapidly toward open rebellion of the colonies.

The passion to own land and to make their own political decisions became the overwhelming motives of the peoples of the thirteen colonies. One by one these colonies cast their lots with the leaders of the new world: Washington, Jefferson, and Adams, to name a few. A tide that no monarch could resist swept the new country toward rebellion and political independence.

This was the state of affairs when Thomas Downey arrived in Baltimore about 1760. It is likely that he shared the aims and ambitions of other adventurers who came to find opportunity in a new land.

Baltimore lies at the head of tidewater upon the Patapsco River. Originally the residential part of town was close to the water where the industrial and commercial life centered in early days. It took

Baltimore a long time to develop. Not until 1729 did the provincial legislature purchase the land on which the city now stands. It was originally known as Jones Town, but the name Baltimore came to include that district still known locally as Old Town and the newer town of Baltimore. The site of the town was well chosen and it grew rapidly. About 1750 ships began to load grain in Baltimore and to sail for British ports. Apparently it was on one of these returning ships that Thomas Downey sailed to America.

By the time of the Revolutionary War, Baltimore had a population of 6,700, and during the Revolution the city played an important part in its success. Among its population were many seafaring men. Privateers in great numbers were fitted out here, and sailed from the port of Baltimore to prey upon British shipping during the years of conflict.

The city, too, supplied more than its quota of Continental troops, but apparently Thomas Downey was not among this number. His "Oath of Fidelity" to the new government, signed in 1778, indicates, however, that he was loyal to the colonies. It seems likely that he was engaged in some trade necessary to the maintenance of the hard-pressed American Army.

After the capture of Philadelphia by the British in 1776, the Continental Congress met in Baltimore, and during these years, the first fortifications were erected on the present site of Ft. McHenry. It was not until 1814 (after Thomas Downey's death) that this fort acquired fame. Then it was that the British fleet was turned back from here, and Francis Scott Key was inspired to write "The Star-Spangled Banner". Thus, the national anthem was written in Baltimore.

In early days Baltimore had the appearance and character of a southern town. Its political control was in the hands of so-called gentlemen farmers, and its life largely rural in character. To judge from his will, Thomas Downey left considerable property. We know, too, that his youngest son, Thomas Downey II, (with whom we shall next be concerned) married the daughter of a Swiss farmer, who had much property, which was divided among a big family. His name was "Henestoful", and we find in the records that he owned "Stophels Choice", 108 acres, "Stophels Delight", 92 acres, and "Switzerland", 100 acres, to mention but a few. All of this land was located in Baltimore County.

As early as 1800 an economic revolution was at work in Maryland. Baltimore became less a market for tobacco and more a manufacturing center. From the records we know that Thomas Downey by then lived in Baltimore County and not in the city proper. The birthplace of his youngest son (Thomas) is set down in the family Bible as Carroll County, which in 1790 was a part of Baltimore County.

In books about early Baltimore, there are descriptions of many Irish gentlemen-farmers in that vicinity. They are pictured as warm-hearted, benevolent, well-informed, fond of music and pretty faces. Perhaps Thomas Downey was one of these. It may be that he moved from the city to the more spacious county when Baltimore City, itself, turned its attention from agricultural pursuits to manufacturing and trade.

At any rate, we know by the time of his death in 1809, Baltimore was no longer an easy-going southern city, but a bustling seaport and manufacturing center.

It would be interesting indeed if we could follow the personal life of Thomas Downey from the day he landed in America until 1809. We do know certain

things about him. As a young boy he set out to cross a stormy ocean; he married in America; was loyal to the cause of the colonies; and witnessed the most important war in history. He raised a large family and his will leads us to believe that he acquired considerable property. The record indicates that he was concerned, for the most part, with Baltimore County rather than Baltimore City.

So much for Thomas Downey I, emigrant from Ireland.

Chapter II

SECOND GENERATION

THOMAS DOWNEY II

A record in the family Bible states that Thomas Downey II, father of Owen Dorsey Downey, was born in Carroll County, Maryland, about 1790. In 1790 Carroll County was still a part of Baltimore County. It was not until 1836 that parts of Baltimore and Frederick Counties were combined to form Carroll County, whose county seat was Westminster, Maryland.

On December 14, 1808, Thomas Downey married Anne Henestofiel (spelled many different ways in various records). She was the daughter of John Henestofiel, a wealthy Swiss farmer of Baltimore County. After their marriage, there was much litigation over the settlement of the estate of Henry Henestofiel (Anne's grandfather). He owned many pieces of valuable land, including "Stophel's Choice", 108 acres; "Stophel's Delight", 92 acres; and "Switzerland", 100 acres.

On March 18, 1812, Anne and Thomas Downey received $500.00 money of the United States of Amarica in settlement of their claim. On March 9, 1815, a

notice was published in the "American" of Baltimore to this effect.

By 1813, Thomas Downey was in Brownsville, Fayette County, Pennsylvania. It was here his first child, Owen Dorsey Downey was born on January 17, 1814. One account states that the family remained in Brownsville, or made it their headquarters until 1824. Another son, Jack, was born here, then a daughter, Fanny (Hamille) in Ohio (town unknown). Thomas probably moved to Westernport, Maryland, sometime in the early 1830's. Two daughters, Harriet (Ross) and Amy were born in Maryland. I have had the pleasure of meeting Miss Amy Ross, a granddaughter of Harriet Downey. We have compared notes and agreed about the facts set down here.

The census of Allegany County, Maryland, 1830, lists Thomas Downey as between forty and fifty years of age. His wife is shown to be between thirty and forty. Their family then included four male children and five female children. As far as we know, only five, two sons and three daughters, reached maturity.

Among the family papers is an official copy of a Land Office Treasury Warrant (No. 12899) dated July 8, 1837, which deeds to Thomas Downey 82 acres of

land in Hampshire County, Virginia.

In spite of diligent searching, the time and place of Thomas Downey's death remains unknown. In those days records were poorly kept, and many were burned during the Civil War. When we consider that Thomas Downey grew up in Baltimore, that his children were born in Pennsylvania, in Ohio, and in Western Maryland, it would be a miracle if all records of his life were now available.

If the record of the life of Thomas Downey is obscure, the story of the section of the country in which he lived from 1810-1830 is one of the most lusty and colorful in American history. It is safe to assume that his life followed the pattern of those adventurers who travelled west from Maryland to Pennsylvania seeking land and opportunity.

By 1806 the plans for a great national road to the west were in the making. Fortunately, these plans were well under way before the disastrous war of 1812. The story of this road is the story of American unity. There is little doubt that Thomas Downey played his part in the development of Western Pennsylvania.

The Old Pike was opened for public travel in 1812. One account tells us that it soon appeared as if

all the people of Maryland were headed toward Western Pennsylvania and Ohio. The Pike took on the appearance of the broad avenue of a city rather than of a rural road. Often as many as 24 coaches could be seen and counted on the road at one time.

The Old Pike gained great renown for the excellence of its inns and taverns. There is reason to believe that Thomas Downey was the proprietor of one of these inns near Brownsville, Pennsylvania. According to Thomas Searight, whose book "The Old Pike" gives a colorful account of this road, these inns were inviting meeting places. "Their sign boards were elevated and their golden letters winking in the sun ogled the wayfarer from the hot road and gave promise of good cheer, while the big trough overflowing with clear, fresh water, and the ground below it sprinkled with fragrant peppermint lent a charm to the scene that was well nigh enchanting."

Every old tavern had its odd shaped little bar ornamented with fancy lattice-work, well stocked with whiskey of the purest distillation, almost as cheap as water.

Stage driving, too, was a lofty calling, the acme of many a young man's ambition. The work was

light and life exciting. Anyone connected with the National Road was called a Pike Boy. The arrivals of coaches in the various towns were the exciting events of the day.

This was the world in which Thomas Downey lived! We know that he was in Brownsville, Fayette County, Pennsylvania in 1813. By then Brownsville was the head of steamboat navigation on the Monongahela River. Here many passengers transferred from stage to steamboat. Many of the most illustrious statesmen and heroes of early America passed through Brownsville. Jackson, Clay, Sam Houston, Polk, Taylor and Davy Crockett were familiar figures to the dwellers there. These must have been occasions to remember for Thomas Downey and his boys.

One account tells that General Jackson stopped in Brownsville about 1820 and was given a public reception. When the landlord came to inquire what article of diet above all others he preferred, the General gravely responded, "ham and eggs." Nor could he be induced to change his request.

By 1842 the Old Pike was forced to yield to the power of the iron horse. In November of 1842 the Baltimore and Ohio Railroad reached Cumberland, Maryland.

The glory of the old road was passing! Then the following lament swept the taverns and towns by the side of the road:

> Now all ye jolly wagoners who have
> got good wives
> Go home to your farms and there
> spend your lives.
> When your corn is all cribbed and
> your small grain is good
> You'll have nothing to do but curse
> the railroad.

It would be interesting if one could follow Thomas Downey's footsteps through these eventful years. When did he leave Pennsylvania and go to Ohio--and why? Why did he return to Western Maryland and Virginia? The only clues we have to the answers to these questions are the names of the states (not the towns) where his children were born.

Family tradition indicates that he went to Westernport, Maryland because of some connection with the Baltimore and Ohio Railroad. Perhaps some day we shall learn more of his story. But for now, we must say goodbye to the wanderer, Thomas Downey II.

Chapter III

THIRD GENERATION

OWEN DORSEY DOWNEY

It is encouraging to write a name at the head of this chapter that is one well remembered and well beloved. I was two years old when my grandfather died, so my memories of him are not personal ones. But he lived near my family for several years before his death and is very much a part of its history and tradition.

"Prominent Men of West Virginia" by Atkinson and Gibbens, p. 959, gives the following resume of his life:

> Owen Dorsey Downey was born at Brownsville, Fayette County, Pennsylvania, January 17, 1814 - removed with his parents in 1824 to Allegany County, Maryland, and resided there 28 years engaged in mercantile business. In 1847 he served in the Maryland Legislature; in 1852 he was appointed Lumber Inspector for the City of Baltimore; the same year he resigned and moved to Virginia and engaged in mercantile business in Piedmont (now West Virginia). Afterwards he engaged in the hotel business in the same place. In 1861 he was a member of the May convention to discuss plans to reorganize the state. He was also a member of the June Convention which effected the reorganization. He was a member of the West Virginia Legislature until 1865 in

> which year he was appointed assessor of Internal Revenue for one of the districts of West Virginia. In 1870 he ran on the Democratic ticket for the Legislature against James McGrew, Republican, and was defeated. In 1880 he moved to Laramie City, Wyoming Territory, where he engaged in mining and other pursuits. He was elected as a Democrat - a member of the Wyoming Legislature convening at Cheyenne, January 8, 1884.

To supplement this record we set down the following facts:

Owen Dorsey Downey, son of Thomas and Anne Downey, was born in Brownsville, Pennsylvania, January 17, 1814. He died in Laramie, Wyoming, October 12, 1894, and was buried in Philos Cemetery, Piedmont, West Virginia, beside his wife.

He married Elizabeth Powell on May 22, 1838, in Westernport, Allegany County, Maryland, William Welch officiating. Elizabeth Powell was born June 4, 1820, in Maryland. Her people, according to old family letters written by her daughter, Molly Downey Sheridan, were Quakers. They settled in Philadelphia and were people of considerable wealth. According to family tradition, her emigrant ancestor was one of the passengers on the "Welcome" and sailed with William Penn.

The following obituary was found in an album belonging to Martha Fairall West in Oakland, Maryland.

> The funeral obsequies of Mrs. Elizabeth Downey who died in this place (Piedmont, West Virginia) Friday last, were performed at half-past one o'clock, Sunday. The deceased lady was the wife of Major O. D. Downey and has long been a resident of Piedmont. We have consulted many who knew her well and who express their utter inability to overhighly praise her qualities. She was not only kind but also complaisant and obliging. She was dignified, amiable and exemplary. * * *Entering into the griefs of others to comfort them and always acting from motives that were as pure as the light, she collected about her a multitude of dear friends. * * *

Owen Dorsey Downey, in all newspaper clippings, is referred to as "Major", although no military record has yet been established. He served in the Legislatures of Maryland in 1847 and West Virginia from 1861-1865, and also in the Territorial Council of Wyoming 1884. He took a great interest in politics, held many minor political offices, and was a warm friend and confidant of Governor Francis Thomas of Maryland. He was always a staunch Democrat.

At one time he kept an inn in Piedmont, West Virginia. About 1852 he moved his family across the Potomac River from Westernport, Maryland, to Piedmont, Virginia. In 1861 the people in this section of Western Virginia protested the secession of Virginia from

the Union. Owen Dorsey Downey's name appears on the document known as the "Declaration of the People of Virginia -- represented in convention at the City of Wheeling, Thursday, June 13, 1861." This document is on exhibit in Exhibition Hall, National Archives.

Owen Dorsey Downey and Elizabeth Powell Downey had six children:

I. Stephen Wheeler Downey, born July 25, 1839, Westernport, Maryland.

II. George Mason Downey, born December 25, 1841, Westernport, Maryland.

III. Sarah (Hutson), born 1846, Westernport, Maryland.

IV. William, born 1848, Westernport, Maryland.

V. Molly (Sheridan), born 1852, Piedmont, West Virginia.

VI. Kate, born 1858, Piedmont, West Virginia.

After the death of his wife, Elizabeth, Owen Downey went to Laramie, Wyoming, where he made his home with his sons, Stephen and William, until his death in 1894. He is buried beside his wife in Philos Cemetery, Piedmont, West Virginia.

References: Marriage record on microfilm, Hall of Records, Annapolis, Maryland. "Declaration of the People of Virginia," Exhibition Hall, National Archives; record copied from family Bible; many newspaper clippings and family letters; public documents, Maryland and Wyoming Territory, November, 1882.

Westernport, Maryland, is situated on the north branch of the Potomac River. On one side of the broad Potomac lies Westernport, Maryland; on the other Piedmont, West Virginia. Both these cities are important locations in the Downey history.

As early as 1790, there was a settlement in Westernport and many pre-Revolutionary expeditions into the Ohio country set out from here. Washington stopped here as a young man and the house where he "slept" still stands. Westernport, Allegany County, was officially formed in 1872.

As the name indicates, Westernport was an important shipping point, and thousands of tons of coal were shipped from here by barge before the Baltimore and Ohio Railroad took over control of the commerce of this region.

It is probable the Downeys came to make their home in Westernport about the middle of the 1830's. Thomas Downey was connected with the Baltimore and Ohio Railroad in some capacity. This railroad reached Cumberland, Maryland, in 1842.

Owen Dorsey Downey married Elizabeth Powell in Westernport in 1838, William Welch officiating.

Their son, Stephen Wheeler, was born in 1839.

In 1847, when he was 33 years old, Owen Dorsey Downey was elected to the Maryland Assembly. This was the beginning of rather an unusual political career, including services in the legislatures of three states. Owen Dorsey Downey formed a lasting friendship with Governor Francis Thomas of Maryland about this time. This tragic, brilliant, humorless man became so important a factor in the lives of Owen Dorsey Downey and of his son, Stephen, that their futures were greatly influenced by him. He owned a farm in Western Maryland about fifteen miles from Westernport. Reading between the lines of personal letters and historical documents, it seems probable that there was constant and intimate contact between the Downey family and the hermit governor.

We know that Thomas largely directed the education of Stephen and later formed a law partnership with him in Washington, D. C. after the Civil War. This story will be included later. But at this time, a sketch of the erratic governor, who so largely determined much of the Downey history, is included. It is a tragic and unhappy tale, and it was destined to change the lives of many people, including among others Owen Dorsey Downey and his son, Stephen Wheeler Downey.

Late in the 1840's Francis Thomas, recently Governor of Maryland, sought refuge at his neglected farm in Western Maryland. He returned there a frustrated, despairing man. A few years before his dictatorial power over Maryland was almost absolute. Now no vestige of that power remained. His mind was unbalanced. His spirit conquered.

His story is one of the most bizarre of early American politicians. He first held public office at the age of twenty-three in 1822 when he was elected in Frederick, Maryland, to the State Assembly. After four terms here, he was sent to Congress and served eight years in Washington. During that time he was president of the Chesapeake and Ohio Canal Company, and known everywhere as a brilliant lawyer. In 1841 he was elected Governor of Maryland. His administration was outstanding in its statesmanlike character. It was commonly believed at that time that he was well on his way to the Presidency.

But a personal tragedy of unequalled magnitude wrecked his political career, destroyed his happiness, and sent him into retirement for twenty years. He emerged, once again, to play a dominating role in the stirring events of the Civil War conflict.

The first chapter of the tragedy which ruined his life was written when he was serving in Congress in Washington. Thomas lived, at that time, in a political boarding house and came to know well the powerful Senator Benton of Mississippi, who also made his home there. Benton had served in the Senate almost thirty years, and was an ambitious and clever politician. His niece, Sally McDowell, fifteen-year old daughter of the Governor of Virginia, was supposedly attending boarding school in Georgetown at this time. Sally, however, spent most of her time with the Bentons. She was spoiled and flattered by their political friends and frank to admit she was looking the field over in search of an eligible husband.

The Bentons regarded Thomas, then a bachelor nearing forty, with great favor. Sally pertly announced she had set her cap for the Maryland statesman, who was at that time regarded as the leading candidate for the Presidency. A leisurely courtship between the two took place over a five-year period. When Thomas was forty-two and Sally twenty, they were married in 1841 at Governor McDowell's residence in Lexington, Virginia. The wedding was a brilliant one. It was considered as a symbol of the friendship between the neighboring states of Maryland and Virginia.

But trouble developed almost at once between the elderly bridegroom and his young bride. The gay, frivolous Southern bride was badly disillusioned when she came to make her home at Montevue, Thomas' home near Frederick, Maryland. Sally soon discovered that her husband had a violent temper and held rigid views of what constituted proper wifely conduct. During much of his honeymoon, Thomas was away from home actively campaigning for the Governorship of Maryland.

Only a few weeks passed before domestic controversy raged between the ill-matched pair. The elderly bridegroom was desperately in love with his beautiful bride, but, from the first, jealous and suspicious of her conduct. Sally made little attempt to conform to his wishes. She constantly outraged his ideas of proper wifely conduct by her gay parties and her continual visits from numerous kissing cousins.

Thomas was soon convinced his bride was having an affair with one of her young cousins. He was sure he was being betrayed by his wife and the young lawyer he had taken into his firm to please her. Sally seemed unconcerned about his misery and enjoyed teasing and making fun of her elderly husband. She often told

him that she had not YET broken her marriage vows. The tortured husband magnified every detail of his wife's conduct. Circumstantial evidence against her was certainly convincing. No one really knew whether the bride was mocking her husband or engaged in a serious affair. In Thomas' tortured mind there was no question of doubt that his bride had broken her marriage vows.

An incredible number of people were soon involved in the scandal. Its importance was magnified because of the prominence of the persons involved. When this domestic controversy was at its height, Thomas was elected Governor of Maryland. Now stories of the scandal were magnified by political ambitions and hatreds. Sectional resentment flared. In Maryland, the Governor's behaviour was defended by his supporters. In Virginia he was mocked and ridiculed--his political future as a Presidential candidate destroyed. Maryland and Virginia became bitter enemies.

Gossip circulated the wildest kind of stories about the couple. Thomas was accused of keeping his wife locked in her room. It was said he boasted of keeping two pistols ready: one of these was intended for Sally's father, Governor McDowell; the other was to use

on her brother. In Maryland, Thomas' friends insisted the bride had come to his home with so meager a wardrobe that it was a disgrace to her family. No domestic tragedy ever had more far-reaching effects on political passions and prejudices.

As the affair mounted to a climax, the once brilliant Governor ignored his duties as a statesman and talked of nothing but his domestic troubles. His friends began to desert him. They could listen no longer to his insane rantings and they could not discover whether his charges were true or false. Thomas was unable to secure a divorce; nor was he able to effect a reconciliation. In the end the desperate husband took a course which destroyed all future happiness for him and ended forever his dreams of becoming President.

In February, 1845, he wrote and distributed a pamphlet which set forth in the most lurid detail and with no reservations whatever the unhappy story of his marriage and estrangement. It is probably the oddest story ever written by a distressed husband. To add to the furor created by this amazing document, Thomas placed one on the desk of every Congressman and Senator in Washington.

This pamphlet was dated February 18, 1845 and commenced thus:

TO THE PUBLIC

Montevue, Frederick County, Maryland.

> Conspicuous calumniators who have labored to forestall and pervert public sentiment, have left me no alternative but this, to me, exquisitely painful publication. Sensible to the partial success of the contrivances, for a long period of time I submitted almost in silence to the shocking and disgusting slander of me which they disseminated. For a woman was involved; even if I had not tenderly and desperately loved, her sex alone was sacred in my consideration. If not my wife, even if a stranger, I could not, without infinite reluctance, expose her frailities, or soil her character.

For fifty pages Thomas continued to tell his version of his marital tragedy. The effects of the pamphlet were catastrophic. Thomas was sued for libel and his wife secured a divorce in Virginia. The Governor was forced out of Maryland politics, separated from his friends and denied the fruits of a lifetime of struggle and preparation for public office.

When the publicity died down, the despairing man sought refuge on his neglected farm in the mountains of Western Maryland. His mind was unbalanced, his ambitions were unfulfilled, his domestic life wrecked. He

withdrew himself from contact with people and spent his life in lonely solitude.

Fortunately for Governor Thomas, a warm friend, who had no thought of deserting him in spite of scandal and mistakes, lived in Westernport, Maryland about nine miles from his farm. We know from personal letters to Owen Dorsey Downey and to his son, Stephen Wheeler Downey, that there was constant communication between the Thomas farm and the Downey home. But more of this story later.

In the early 1850's the population of Westernport began to dwindle alarmingly. For a half century Westernport was a thriving port city from which thousands of tons of coal were shipped by barge on the Potomac River. The building of the Baltimore and Ohio Railroad changed the economic conditions of the country completely.

About 1853, Owen Dorsey Downey moved his family across the Potomac from Westernport, Maryland, to the new town of Piedmont, Virginia. Lewis' "History of West Virginia" tells us that Piedmont was originally called Hardscrabble Town. It also tells us that Piedmont, meaning "Foot of the Mountain", was laid out

and named by Owen Dorsey Downey. It was incorporated by the Legislature February 20, 1856 in Hampshire County. When Mineral County was created in 1866, it became part of that county.

Mrs. Burns, a hotel proprietress, owned the land on which Piedmont was built. When she became Governor Thomas' housekeeper, she sold her inn to Owen Dorsey Downey, and for many years he remained in the hotel business in Piedmont.

By this time, 1856, the questions of slavery and of secession began to agitate the South. Slavery was an unprofitable institution and a curse which no one knew how to get rid of. Fiction maintains that the great planters played the leading role in the war that was soon to come. But, the entire history of the South is buried under stratum on stratum of legend. A Southerner always sees the present as inferior to the past. In truth, the charm of the South lay, not in its luxury or grandeur - that was for a very few - but in its natural beauties and simplicity of life. The Southern planter was a farmer, not the English lord that fiction loves to paint him.

The question of whether or not the South should secede from the Union was the burning question of the day. Nowhere was it argued with greater heat

than in Virginia.

By the late 1850's, Union sentiment was strong in the western part of Virginia. Few men here owned slaves, and most men hated the institution of slavery. This movement of West Virginians to form a new state had been talked about for fifty years. The farmers and mountaineers did not take kindly to the political power of Tidewater, Virginia. The movement was, of course, hastened and made final by the war. The question of secession proved to be the final impetus that forced decisive action in forming the new state of West Virginia.

No greater myth has been created by fiction than the one so often told in popular novels that the South rose as one man to defend Dixie. There were many instances of strong pro-Union sentiment in the South. Many men in the middle classes realized that if war came, it would be a rich man's war and a poor man's fight. There were many men, too, who had no desire to go to war to protect the slaves and the property of the great planters of the Tidewater South. But, only Western Virginia formed a new state.

Owen Dorsey Downey played a leading role in the struggle for this new state. In May, 1861, he

represented Hampshire County at the May convention at Wheeling which considered the organization of the new state.

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In Exhibition Hall in the National Archives Building in Washington, D. C., is the framed document known as "Declaration of the people of Virginia - represented in convention at the City of Wheeling, Thursday, June 13, 1861." One of the signatures on this document is that of Owen Dorsey Downey.

West Virginia was formally admitted to the Union in 1863. Owen Dorsey Downey served in the Legislature of the new state until 1865.

We know little of his life during the Civil War period. He is always referred to as "Major", but why I do not know. All three of his sons went west after the war. His wife died in 1876, and he moved to Laramie, Wyoming, about 1880, and lived there until his death in 1894.

The following letter dated October, 1894, is from his oldest grandchild, Beulah Downey Hanks:

> My dear sister Willie -
>
> We received your letter and Pa's messages and my heart is very sad today for we all loved Grandpa dearly. He was

the best man I ever knew, so generous and kindhearted to everyone. He was beloved by everybody.

We could not hope to keep him any longer for he was an old man but it is hard to give him up. My dear sister, I cannot write any more.

With love to all,

Beulah

Until the Civil War brought tragedy to all America, the home life of the Owen Downey family was a warm and happy one. The following letter written by the oldest daughter, Sarah Frances, from her boarding school when she was about 12 years old tells us much about an affectionate family.

March 11, 1859

Dear Ma,

I received your kind letter and it encouraged me a great deal I assure you. I was very homesick until I received it and then it all left. It does me so much good to get letters from home.

I went over to Mr. (name not legible) and had a pleasant time. I went on horseback and I left Mrs. McDowell very uneasy for fear I would fall off but I rode very well.

I wish I could come home on the 4th of July and bring my friend to see what a happy time we have. I hope you will not

move to Parkersburg for I think you would not like it. I like old Piedmont and would not like to move.

Please do not forget my Spring shawl for I have none and the girls all have one and I will look funny without one.

Give my love to Stephen and Mason. Kiss Molly and Kate for me.

Your Devoted Daughter,

Fannie Downey

Owen Downey was a man beloved and respected. He was of a happy disposition and possessed his share of Irish charm. His wife, Elizabeth, was an unusual woman of great dignity and serenity. She was of Quaker stock and her family was a wealthy and cultured one, originally from Philadelphia, Pennsylvania.

We shall follow in detail the story of their oldest son, Stephen Wheeler Downey. But just a few lines about their other children:

George Mason became a Major in the United States Army. After the Civil War he went west to Salt Lake City, Utah. His grandson, Fairfax Downey, is one of the distinguished American writers of today. His home is in West Springfield, New Hampshire.

The oldest daughter, Frances, married Judge Hutson, of Rawlings, West Virginia. They had a large

and successful family, many of whom now live in Baltimore.

Billy Downey witnessed the shooting of Lincoln. He ran away to Laramie, Wyoming, and became a government surveyor. He married there and had one daughter.

Molly married a wealthy railroad director named John Sheridan. They had two daughters, Kathleen and Amy.

Kate Downey never married but made her home with the Sheridan family in Maryland until her death.

CHAPTER IV

FOURTH GENERATION

STEPHEN WHEELER DOWNEY

Stephen Wheeler Downey, son of Owen Dorsey Downey and Elizabeth Powell Downey, was born in Westernport, Maryland, July 25, 1839. He died August 3, 1902 in Laramie, Wyoming. He was educated at an academy by ex-Governor Francis Thomas of Maryland. At the outbreak of the Civil War he was engaged in the study of law in Governor Thomas' office in Cumberland, Maryland. He enlisted as a private in Company C, Third Regiment, Potomac Home Brigade, Maryland Infantry. He was promoted to first lieutenant January 1, 1862. He was seriously wounded and discharged honorably from the Union Army November 6, 1862. At the time of his discharge, he had achieved the rank of colonel. After he went west to Wyoming Territory in 1869, he was always called "The Colonel."

After his discharge from the Union Army in 1862, he formed a law partnership with Governor Thomas and practiced law in Washington, D. C. During the reconstruction period, Thomas was much in sympathy with the harsh views of Thaddeus Stevens regarding Southern reconstruction policies. Sharply in conflict with these

views, Stephen W. Downey moved to the Territory of Wyoming in 1869.

In 1861 he married Fannie Fisher of Frostburg, Maryland. They had two daughters: Beulah, born in 1862, and Fanchon, born in Washington, D. C., in 1865.

Stephen W. Downey had much to do with shaping the early history of Wyoming. He held many public offices. Among others, these included membership in the Territorial Council, 1871 - 1875 - 1877, and Treasurer of the Territory, 1872-1875. He was elected as a Republican delegate to the Forty-sixth Congress of the United States, March 4, 1879-1881. He declined to accept the nomination again and returned to Wyoming where he again held many state offices.

Col. Downey is often referred to as the "Father of the University of Wyoming" because of his untiring and successful efforts in securing the passage of the bill for its establishment.

On July 25, 1872, Col. Downey married Evangeline Victoria Owen, after the death of his first wife, Fannie Fisher Downey, in 1870. Stephen W. Downey and Eva V. Owen were married at the Episcopal Church in Denver, Colorado, by the Right Rev. Bishop Randall.

Eva V. Owen was born December 2, 1853. She was of English and Welsh descent and was born in the Village of Tockington near Bristol, England. Her grandmother was Lettice Bonner Powell, who married William Cullimore, architect and builder. Her mother was Sarah Cullimore, who was born December 6, 1833 and died April 17, 1914, at Laramie, Wyoming. Her father was William Owen Owen of Welch descent.

Eva Owen was brought to the United States by her parents when she was less than a year old, in 1854. Her parents were proselyted by missionaries of the Mormon Church and made the trip to America to join the settlement of Mormons in Salt Lake. Eva's mother, Sarah Cullimore Owen (Montgomery) was never in favor of the venture. However, she made the trip and landed with her husband and small baby, Eva, in New Orleans in 1854 after a trip of storms, disease and hunger. But the hardships of the ocean voyage were small compared to those encountered in making the long trip overland to Salt Lake City, Utah, in a caravan of oxen-drawn prairie schooners. This caravan fought its way over fifteen hundred miles of prairies, scorching hot in summer, buried deep in frozen snow in the winter months. The number of pioneers who died on these journeys from

starvation, exhaustion, disease and freezing temperatures will never be known.

However, the Owen family reached Salt Lake sometime in 1855. William Owen immediately joined the Mormon Church and, at an undetermined date, was sent on a mission to Europe. Sarah Owen could not accept the Mormon religion. In 1868 she decided to return to England with her children: Eva, Etta and William. She was able to go only as far as Laramie, Wyoming, which was then the terminus of the transcontinental railroad. Here Sarah Cullimore Owen (Montgomery)[1/] made her home until she died in 1914.

Eva Owen, her oldest daughter, married Col. Downey in 1872 and they had ten children, all of whom grew to maturity. She was a remarkable woman who, without the benefit of formal education, was far better informed than most of her college-trained children. Col. Downey suffered heavy financial reverses and a long

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1/ Sarah Cullimore Owen Montgomery, according to the Laramie Republican, April 18, 1914, was the first woman who voted for a president of the United States. This was in the election of 1892. The election officials opened the polls fifteen minutes early that she might have this distinction. Wyoming at that time was the only state having woman suffrage.

illness before his death in 1902. It was his wife, Eva, who provided financially for the education of the younger children.

The following editorial copied in part from The Laramie Republican-Boomerang at the time of her death October 20, 1937, tells of her life:

> Not only a life but a chapter in the annals of Wyoming ended last Monday, when Mrs. Eva V. Downey, beloved pioneer, closed her eyes in death.
>
> What a cavalcade of history has passed before those eyes! As a child's they looked on the interminable miles of the Overland trail, houseless, fenceless, peopled only by the crawling wagon train and the skulking menace of Indian raiders. As a girl's they saw the raw young life of a new town at rails' end, lusty, violent, lawless. As a woman's they watched that town grow and mature, saw the prairie leased with fence and road, saw the trail-herds come and go again, saw the scout, the freighter, the stage driver, the cowboy, the land speculator, the oil wildcatter, follow one another in picturesque pagentry across the stage of an empire.
>
> They saw a sparsely populated territory graduate into state-hood. As a wife's and mother's eyes they watched husband and sons and daughters play honored roles in the development of the state. There is no more distinguished name in Wyoming annals than Downey.
>
> For almost 70 years Mrs. Downey was a part of the life of Laramie. They were rich and eventful years; and hers was a rich and fruitful life. She was one of the last of

those sturdy pioneers whose stories parallel and epitomize the story of their community, their state and the epoch to which they belonged."

Col. Downey and Eva Owen Downey had ten children:

I. Stephen Corlett Downey, August 29, 1873-1934.

II. June Etta Downey, July 13, 1875-1932. (Internationally known psychologist. Name starred in 1927 "Men of Science." Contributed articles on "Handwriting," 14th Edition Encyclopedia Britannica.)

III. Norma Downey, June 17, 1877 - February, 1956.

IV. Willie Virginia Downey (Mrs. R. G. Fitch), September 20, 1879.

V. Owen Downey, 1881 - 1934.

VI. Sheridan Downey, 1884. (United States Senator from California 1938-1950).

VII. Stephen Wheeler Downey II, 1886.

VIII. Evangeline Victoria Downey (Mrs. Paul Teetor), 1888.

IX. Alice Downey (Mrs. Elmer K. Nelson), 1892.

X. Dorothy Downey (Mrs. Morgan V. Spicer), 1896.

References: History of Maryland Volunteers, Vol. 1, P. 13;
Biographical Directory of the American Congress, 1774-1949;
Memory Book of Downey Family, containing newspaper clippings, letters, etc.;
Old family documents and letters;
Newspaper files of Laramie, Wyoming, 1868-1937.

The early history of Western Maryland and of West Virginia has been told in the previous chapters. Stephen W. Downey spent his boyhood in these states. The familiar story of the Civil War requires no repeating save as it affects the personal life of our young Colonel.

Immediately after he was wounded in action and compelled to leave the Union Army, Colonel Downey lived and practiced law with Governor Thomas in Washington, D. C., during the last years of the war and for a short time afterwards.

When he went there in 1863, Washington, D. C., was a city of confusion and defeat. During the terrible fighting of the early months, the Capital became a great army camp and changed soon to a huge hospital. Hotels, warehouses, schools, churches, even the Capitol Building were converted as rapidly as possible to take care of the hungry, thirsty, wounded men sent to Washington by the uncounted thousands.

Stephen arrived there in the early summer of 1863 and found the entire population of the city living in terrified expectation of an enemy attack. When the Battle of Gettysburg was fought and won in July, the pendulum of confidence swung far to the other extreme. But the end was not yet!

The weary months of war dragged on. By 1864 men were tired of fighting a useless war. Often Union and Confederate soldiers now slipped through unguarded lines to visit and to talk; to sing the songs familiar to both North and South. Reason was taking the place of the emotional hysteria of hatred and bitterness. After Lincoln was elected President for the second time in 1864, the war news continued to be encouraging for the North. On the evening of December 25, 1864, the President received Sherman's famous dispatch: "I beg to present to you as a Christmas gift the City of Savannah."

Now events began to move rapidly. On April 3rd Richmond fell and on April 9th at Appomattox Court House, Grant and Lee shook hands. The Union terms of surrender were generous. The war was over, but tragedy soon followed.

On Friday, April 14, 1865, the City of Washington prepared to celebrate. General Grant was in the city for a conference with Lincoln. The rumor soon swept the city that the Lincolns and Grants would attend Ford's Theatre that night. The words "Union" and "Grant" flashed by gaslights everywhere that night. The city blazed and echoed to the name of the victorious

General. But Mrs. Grant excused herself and her husband from the theatre party. She and Mrs. Lincoln were not on friendly terms.

Stephen's younger brother, Billy, who was living with him in Washington, witnessed the assassination of Lincoln that night. He went to Ford's Theatre without his brother's permission and became an eyewitness of one of the most tragic events in American history.

Billy afterwards could not recall clearly the sequence of events of that terrible night. It all happened too quickly to seem real! He heard the quiet of the theatre shattered by a shot; he saw a man leap from the President's box to the stage; and he heard him shout some mumbled words. Then Billy turned his terrified eyes back to Lincoln and glimpsed him for a second sitting motionless in his rocking chair. Even as he watched, he saw the President slump slowly down. Over Billy, as over an hundred others, there passed a feeling of complete disbelief.

It was a matter of minutes before that horrified audience rushed from the theatre to tell the dreadful story. The President was carried across the street to a humble home. The crowd outside wept and

cursed. As the long hours passed, the crowds became silent. It was not until the next morning when thousands of bells began to toll and flags everywhere dropped to half mast, that Billy returned home to bring Stephen the terrible news: Mr. Lincoln was dead.

Those years that Stephen spent in Washington were unhappy ones. His young wife, Fannie, was slowly dying of tuberculosis, and his two little girls were often left in his mother's care. His relationship with his law partner, Governor Thomas, was now one of controversy and bitterness. The two men disagreed violently on Southern reconstruction policies. Thomas upheld the harsh views of Thaddeus Stevens; Stephen thought such a policy could lead only to another tragedy. There was no long hope of reconciliation between the two men and the young Colonel decided he must map out a new career for himself. Not yet fully recovered from his wound, he decided to take decisive actions.

For a long time Stephen had wanted to move to the West. There he hoped to find a state where a man could help shape its destinies. He wanted to leave behind him the bitterness and hatreds of the post Civil War period. He thought, too, that a higher, dryer climate might save his young wife's life. It must have

been a difficult decision to make, but Stephen, too, like his forebears, was an adventurer by nature.

Soon after he moved to Wyoming Territory in 1869, the Colonel included in one of his public speeches a paragraph explaining why he left powerful friends, a well-ordered life, and a promising career to journey westward:

> The visitor to our national Capitol in Washington, after passing through the vast rotunda, wanders into a gallery overhanging the vast and beautiful hall in which one branch of the Congress of the United States assembles. As he mounts the marble steps, he suddenly stops, his eyes riveted upon a painting. It represents an emigrant train crossing the Rocky Mountains. You see before you the ponderous wagon, drawn by the ever-plodding oxen, with all the implements of frontier life in full view. Far back you behold the dying embers of last night's camp; immediately in front of the main party you see the stalwart guide mounted upon his horse with his ever-ready rifle in hand. You see mountain after mountain towering in the distance until the very clouds are rent asunder. And upon the loftiest crag, one of that brave band of pioneers is planting our national flag. I want my hand to be one of those that shall trace upon the historic walls of the Capitol the future of this great Western Land.

And what did the young Colonel find when he arrived in Laramie, Wyoming, in 1869? He found a lawless, energetic tent city where men settled their difficulties with a revolver or a knife and few ques-

tions were asked. He found a pioneer town without trees or flowers where drinking water sold for a dollar a barrel. But he also found a town and a state determined to accomplish great things. Colonel Downey was soon recognized as one of the leaders and most promising politicians of Wyoming Territory. His new life had begun.

In December, 1869, the Territory of Wyoming achieved national fame by passing the "Woman's Suffrage Bill". This marked the beginning of women's rights to vote and to serve on juries. Colonel Downey played an important part in this reform.

Laramie soon became a law-abiding town. Churches and schools were established and the outlaws moved to more promising fields.

In 1872 Colonel Downey's wife died. His two little girls were still in Piedmont with his mother, and he threw all of his energy into the building of this frontier town that was to be his home for more than thirty years.

In 1874 he married Eva Owen, a yojng English girl, who had crossed the continent in a covered wagon seventeen years before. She was much younger than the Colonel, but their marriage was one of mutual devotion.

The Colonel's two little girls soon came to Laramie to make their home. Ten children, all of whom grew to maturity, arrived at regular intervals to contribute to the population of the new town.

It would not be possible to tell the story of these twelve children in a short family history. The next chapter will devote a few lines to each. They led interesting and successful lives, and a brief record of each one may help future family genealogists.

I'll let the record tell the story of Colonel Downey's life, adding only enough information to link together the different periods of his life. This is the story of Stephen Wheeler Downey, Colonel in the Union Army at the age of 21; Delagate to Congress from Wyoming Territory; Father of the University of Wyoming.

The first personal letter I find addressed to Stephen was written to him by Governor Thomas when he was thirteen years of age.

Frankville, August 29,1853.

Dear Stephen -

The school in the neighborhood of my farm will open next Monday. I want you to be there at the commencement. - - - - Take the cars and go to Cumberland. Stay there all night and on the next day take the cars for Berlin below Harper's Ferry. You can leave your luggage at Berlin and walk to my farm. My brother will have a servant pick up your

luggage. - - - - If you need money to pay expenses call upon your Father for it and I will repay him.

Yours sincerely

Francis Thomas

Frankville, July 4, 1857

Dear Stephen -

My servant man Harry has ten dollars to buy for himself a coat and pantaloons. Will you have the kindness to represent him in making a selection so that he may not be imposed upon. He ought to select dark colors.

Yours truly,

Francis Thomas

A letter from Robert T. Craighill, dated April 19, 1857, Charlestown, West Virginia, tells something of the school life of Stephen Wheeler Downey:

Dear Stephen:

Ever since I saw you last, which was about a year ago, I have daily intended to write to you but I did not know your address. I have asked Cousin Kate but she gave me no satisfactory answer. She thought it was Frankville. I learn from Uncle Thomas that you are at Montevue. I should like very much to go to Maryland now but I am going to school at present and do not wish to lose any time.

We moved to Charlestown to live and I can assure you I think it is about the poorest place to live in except Harpers Ferry that I ever saw.

Uncle Thomas tells me you are reading the first book of Caesar, I am also. Tell Jimmy Thomas he must come over and see us, and you must come too, but I suppose you are in my condition exactly and can't leave school.

Give my love to Cousin Kate and tell her she must come over to Jefferson to see us. Stephen, please try and come over during your vacation. Write to me soon and remember me as your friend.

Robert T. Craighill

A letter from Montevue (Home of Governor Thomas), January 23, 1857, from Jimmy Thomas (Governor Thomas' nephew), gives us another glimpse of Stephen Wheeler Downey's early life.

Dear Stephen -

Your very kind letter came a few days ago. I hope you will not think from my long silence I wish to give you up as a correspondent. Far from it.

We have had two dancing parties since you left. Miss Mary Hilleary intends giving one next Thursday evening and wishes you were here. Miss Mary Lizzie is to be married in the Spring. Do you not think it enough to break my heart?

I suppose you are in fine glee about the wedding so shortly to come off near you. I did not say anything

to Miss Kip about your going to Piedmont but she says she is bound to make you go so she may find the secret out. She has at last come to the conclusion that you and Miss Kate are not engaged.

Miss Mary West was asked by Miss Jennie to wait on her but the Priest forbids her as they are to be married by an Episcopal Minister. After she gave up going the Priest told her she could go but not witness the ceremony.

Uncle Frank (Governor Thomas) left for a trip. Poor man, nothing would be more good than to see him out of his difficulties. With best wishes for your happiness, I remain

Very Respectfully,

Jas. Thomas

These letters indicate that the life of Stephen Wheeler Downey as a boy and a young man was much like that of the boys of today. Shortly before the Civil War, Governor Thomas opened a law office in Cumberland, Maryland. Six young men, including Stephen Wheeler Downey and Jimmy Thomas, were studying law there when Fort Sumpter was fired upon on April 12, 1860. Three of these men enlisted in the Union Army; three in the Confederate. The war of brother against brother, friend against friend, had begun. These young men were devoted companions but now divided loyalties swept them apart forever.

STATEMENT OF THE MILITARY SERVICE OF

STEPHEN W. DOWNEY

Late of the 3d Potomac Home Brigade

Maryland Volunteers

Stephen W. Downey was enrolled September 12, 1861, and mustered into service October 31, 1861, as a private, Company C, 3d Potomac Home Brigade Regiment, Maryland Infantry Volunteers, to serve three years.

He was mustered in as first lieutenant, same company, to date January 1, 1862, and as first lieutenant and adjutant, same regiment, January 26, 1862; is reported on the muster roll of the field and staff of the regiment, for March and April, 1862, as promoted to the grade of lieutenant-colonel March 1, 1862; was mustered in as colonel of the regiment to date September 8, 1862; and was honorably discharged the service as colonel, in special orders, 8th Army Corps, dated November 6, 1862, on tender of resignation.

Official statement furnished to Colonel Stephen W. Downey,

By authority of the Secretary of War:

Colonel, U. S. Army,
Chief, Record and Pension Office.

Record and Pension Office,
War Department, July 17, 1895.

During the early years of the war leaders were badly needed and Stephen's advance in rank was rapid. In January, 1862, General Fremont requested that he be assigned to his staff. While in this posi-

tion, Stephen W. Downey acted as scout and was highly recommended by General Fremont for promotion.

> This Boonsburo incident occurred when the rebel army under Longstreet and Hill made their raid into Maryland and just before the battle of Antietam. The advance of the rebel army had come up to within a mile or so of Boonsburo and halted when "Stonewall" Jackson, accompanied by a squad of Colonel Payne's (Black Horse) Cavalry stopped at the house of John Murdock. Colonel Douglass with Colonel French and two or three others rode into town. As they were riding leisurely down Main Street, they suddenly heard the sound of rapidly approaching cavalry and turned and fled, the Union troops following close behind and firing upon them. Before they were out of town they saw General Jackson leisurely approaching them, walking and leading his horse. He immediately mounted and with the others beat a hasty retreat on their back track.
>
> Hearing the firing, a squad of the Black Horse Cavalry mounted and rushed forward to the relief of their imperiled chief and met and checked the pursuit. Mr. Douglass, in his article says:
>
> "The Union force which made this dash into town was not a large one, only twenty-one men of the 1st Maryland Cavalry, under command of Lieutenant Colonel S. W. Downey (afterward member of Congress from Wyoming) who had his horse shot under him and was seriously wounded, and at whose instance the raid was made."
>
> Coming across this little bit of interesting history in which our friend, Colonel Downey, figured so prominently, we went to the Colonel with it, his

office being next door to the Sentinel office, to try to get some further particulars of the affair.

Colonel Downey said: "My regiment, the 3rd Maryland, was stationed at a point between Martinsburg and Harper's Ferry, at Kearnysville, on the Baltimore & Ohio Railroad. On the morning of the 10th of September I determined to ascertain, if possible, what troops had invaded Maryland. I left Kearnysville with a small detachment of cavalry, in command of Captain Shamburg, all told twenty-one men. We took the road to Shepherdsville, crossed the Potomac River, took the road to Boonsborro, and over what afterwards became historic ground, where the great battle of Antietam was fought. About a mile from Boonsborro I was in advance and saw the picket of the enemy, consisting of four or five. We immediately started in pursuit of them, believing we could overtake and capture them before they reached the main force. I do not know to what command they belonged; they may have been the Black Horse Cavalry. We gained on them as they neared the town and came within firing distance. I was riding a very powerful gray horse and he kept me some distance ahead of Captain Shamburg and his men. I fired all the shots out of my revolver at them. As we entered the town from the south on a road at right angles to the main thoroughfare, finding we were gaining on them, I tried to return my revolver to the holster but was unable to do so and threw it away. (The proprietor of the hotel there afterwards told me that he found it and kept it as a relic of the war.)

"As we dashed into the main street of the town we saw a great many horses hitched along the street and rebel soldiers running to and fro as though frightened at our

approach; the number in the town appeared to be about seventy-five or one hundred men. Some mounted their horses and took the road running east from Boonsborro and we pursued about half a mile beyond the town, still firing. My horse brought me up into the midst of the enemy and with my saber I unhorsed one of them and have often wondered since if I inflicted upon him a fatal injury. I struck him just in the back of the neck and if Mr. Hy. Kid Douglass will give me his name I will take it as a great favor.

"My horse was shot and I was badly injured by his falling upon me. One of Captain Shamburg's men by the name of Merriman was the first one to reach me, and although I was stunned and bruised I was still able to ride. He gave me his horse and succeeded in catching one that belonged to the enemy (being the horse belonging to the man whom I had unhorsed.)

"We were now in full view of a division of Jackson's army and saw them preparing for action, they evidently believing that our force was the advance of a very large one. Seeing it was useless to go any further in the face of the enemy we turned to make our escape; passed back through Boonsborro and took the same road on which we entered the town.

"We had some fighting in Boonsborro as we retreated, but certainly there was no desperate attempt to stop us, as the only one wounded in my command was myself and I lost but one man, captured, and he went back to secure a piece of baggage or something that he dropped in the skirmish.

"I was told afterwards by the citizens that I passed very near to Stonewall Jackson and had I known him, could have easily captured him, but of course this is mere rumor and may not have been true."

After being wounded at Boonsboro, Stephen insisted on riding to Harpers Ferry hoping to warn the garrison of Union troops stationed there of the advance of the troops under General Jackson. He was too late! The Confederates attacked Harpers Ferry September 15, 1862. The position was hopeless and 11,000 Union prisoners surrendered that day. Stephen Wheeler Downey was immediately paroled and exchanged. On November 8, 1862, because of the severity of his wounds, he left the army.

But, by 1863, Colonel Downey was sufficiently recovered to write to General Fremont asking his advice about returning to active service. The following letter from General Fremont was found in his file. It is dated New York, 22 February 1863.

My dear Colonel -

The prospect of active service brings you to my mind this morning. Did I write to say that you were at liberty to use my name for any reference you desire to make? It will always give me pleasure to serve you. I shall endeavor to get you with me if you so desire.

Yours truly,

J. Fremont

What prevented Colonel Downey from returning to active service I do not know. The story of

his life from the time he left Washington, D. C., about 1867 until he went to Laramie, Wyoming, in 1869, is unknown to me. A newspaper notice dated September 13, 1865 is the only document available for the period that he spent in Washington. It was published in a Washington newspaper.

> The partnership between the undersigned to practice law in the District of Columbia having been dissolved by mutual consent on the 15th of August, 1865, we hereby name Malcolm Gregory, Attorney-at-law of Washington, D. C., as the party authorized to settle up all unfinished business.
>
> Francis Thomas
> Stephen W. Downey

There are innumerable clippings available about the life of the Colonel after he went to Wyoming. I shall choose a few which best illustrate the story of his life.

Source: Laramie Republican - Saturday, December 11, 1897.

COL. DOWNEY

> Col. Stephen W. Downey was the first prosecutor of Albany county and through his efforts law and order were brought out of lawlessness and chaos. He it was who served the county so faithfully when the jury composed of women was in the box and struck terror to the criminal classes. At the bar of the county and state he served with great ability, placing him at once in the foremost ranks of his profession in the west. In 1878 he was elected to congress, polling

a tremendous majority of the votes of the territory. His opponent was E. L. Pease of Evanston. From the national legislature the people of Wyoming received much through Mr. Downey's influence, the public surveys being pushed with vigor and the lands being opened to immigration and settlement. He declined to become a candidate for a second term and devoted his time largely to the development of the resources of the state.

Many times has he represented Albany county in the legislature and served the house as speaker with marked distinction. He was the father of the bill creating the Wyoming university, and when it or any of its branches have been in danger he has ever rushed to its defense. In the constitutional convention genius and ability marked his course and he was one of the most capable of the members of that body of lawmakers.

In his home life Col. Downey has ever been a loving and constant husband and father, whose home-coming has been a source of delight and pleasure to the household. His large, intelligent and interesting family has been brought up in the fear and nurture of the law and the shadow of the great university which he did so much to establish is being cast athwart the lives of his children.

He has been unfortunate. From the days when he entered the state as a pioneer he has pinned his faith to our great mineral resources, and with that same tenacity with which the aged gambler turns again and again to the faro table Col. Downey has lost his accumulations in the development of mining prospects in the mountains. The Centennial lead was one of the first great prospects to attract his attention. Samples from that vein ran away up into the thousands of dollars, and at one period he was offered $100,000 for his interest. He believed,

however, that it was more valuable than it was, and the offer was refused. If there were millions in this mine the colonel believed they should be transferred to the pockets of Wyoming men, who had found and developed it. We all know the result--the vein pinched out and all was lost. At Douglas, Gold Hill and elsewhere the same bad fortune has dogged his footsteps, but his confidence in our mineral future has not been dimmed and he is today just as ready as ever to lend his aid in any mining project promising success.

His service in Congress was vigorous and productive. While there, he achieved fame in rather an odd way.

May 1, 1880

THE WYOMING WARBLER

From the St. Louis Republican.

Byron "awoke one morning and found himself famous." So did Downey. Both were made famous by poems; Byron by "Childe Harold," Downey by "The Immortals." But Downey did what Byron never could have done; he published his poem as a speech in the Congressional Record, and thereby gave it to a waiting world with the apparent indorsement and approval of the Senate and House of Representatives of the United States. Downey has hitherto hidden his light under a bushel, so to speak. Born in "Maryland, my Maryland," his infantile ears were tickled by "the Old Line bugle, fife and drum," inspiring him to noble deeds. As soon as petticoats were exchanged for pantaloons, the spirit of adventure moved him to the wild and winsome west, even to far and fair Wyoming, where he industriously grew up with the country and in due time was elected con-

gressional delegate therefrom. With his foot upon the lowest round of the political ladder, his eagle eye soared to the top and his mighty brain evolved a plan for distancing all rivals in the race for glory. He would not walk or run, but fly; and he made himself the oddest pair of wings that ever fluttered in any atmosphere, one of these pinions being a preamble in the shape of the Apostle's Creed, and the other a resolution appropriating $500,000 to be invested in frescoing the walls of the capitol with scenes from the life of Christ.

On these wings he rose high enough to drop "The Immortals" into the Congressional Record, and is now awaiting the result with that serenity which comes from the consciousness of fulfilled renown.

The University of Wyoming:

COL. STEPHEN W. DOWNEY
CALLED "THE FATHER OF
WYOMING UNIVERSITY"

Col. Stephen W. Downey, soldier, lawyer, and politician, whose daughter, Dr. June E. Downey, is professor of psychology at the University of Wyoming, has been referred to as "The Father of the University of Wyoming."

"The Chronicles of the Alumni of the University of Wyoming," a souvenir published in honor of the twenty-fifth anniversary and reunion, June 1911, gives an account of his efforts to establish the University.

"From early days Colonel Downey had desired the erection of a university, and when the monument at Sherman was about to be erected he had written to Honorable F. L. Ames endeavoring to persuade him to

found and endow a university for Wyoming. In this he was unsuccessful, but, from time to time, he spoke favoring such an institution, and in 1886 championed the bill making an appropriation for the same. (The bill including the provision for its being located in Laramie was passed after a long, hard fight. The University opened in September, 1887, operating as a territorial institution with no federal aid. When Wyoming became a state in 1890 the first state legislature passed a law accepting a federal aid for the University, which gave it a new growth.) Of the subsequent new board of trustees after recognition, Colonel Downey was made president, in which position he served a long time. As a member of the second and third state legislatures he endeavored to keep the University at Laramie and was successful, though a hard fight was made against it."

St. Matthew's Cathedral:

Source: Laramie Republican, August 7, 1902.

"Colonel Downey's death removes one more of the vestry of St. Matthew's parish at the time Laramie became the see city of the diocese of Wyoming and Idaho. When the matter was finally settled and Bishop Talbot had located the see here, he was asked what had most influenced him to the action. The city was young and full of vim, but there must be some sentimental reason, the vestry argued, and so the question. The bishop made reply quoting from a letter written by Colonel Downey. He said the matter of the town's availability had been so forcefully brought out, so many arguments used, so much said in favor of Laramie that he could not resist the influence of the writer's logic and so the location was made, Colonel Downey was the author of the letter and the bishop had been guided thereby.

Home Life:

WHEN I WAS A LITTLE GIRL

FATHER

To my Downey Family--with love.

Fanchon Downey Smith

Some years ago a man said to me, "I knew your father Colonel Downey in early days in Laramie, Wyoming. He was one of the finest men I ever met, I'll never forget him. And you and your sister were little pioneers."

My thoughts turned back to early days in Wyoming and to a dear lovable father who was kind and sympathetic and generous to a fault. He was progressive and public spirited, a man of fine principles, one who tried to be just in his decisions. He also had many talents. No wonder this friend would always remember him! "Arise and Conquer," was the motto he wrote on the fly leaf of books he gave us. He often wrote these words at the top of a letter or at its close. Too well he knew that if you once falter along the road of life it is hard to get a fresh start!

Father was a devout Episcopalian and Sunday in our home had to be observed by attending Church and Sunday School, and we had nothing but sacred music on that day. If they had no minister, he read the services and prayers at Church, in an effort to keep the little band together. Sunday breakfast was his favorite meal. He enjoyed having a friend or two to share it with us, which they often did. It usually consisted of fried chicken or fried oysters in season, (these oysters were fresh and came in large sealed cans packed in ice), saratoga potatoes, waffles and coffee.

When a baby arrived in our home to cuddle and love our cup of joy was full. And each baby in turn was welcome and made its own place in our hearts. Every morning we all knelt by our chairs and together said the Lord's Prayer. As the little ones came along sometimes the baby would creep into the kitchen and have to be rescued from the coal bucket, but father was undisturbed. At meals he always asked the blessing and if the baby on one side of him beat on the high chair with a spoon, or the little one on the other side pulled at his coat sleeve, during this time he was always patient with them.

He was a devoted father and enjoyed his children. It was never too much trouble to get up in the night and help with a baby who had colic, measure out cough syrup for another one of us, or hunt the goose grease and flannel for a chest cold. Wyoming winters were severe, and the houses not so well built as today, were hard to heat, even with plenty of fuel.

Father wrote blank verse and plays--he delighted in paintings and art. He was poetic and visionary. Too visionary perhaps for his own good. Many times he would carry the baby from room to room reciting "The Raven." Sometimes when it was nearly dark I'd listen to him and think how frightened I'd be if that raven came and perched on the window sill, looked at me with his shiny black eyes and said "Nevermore!" About that time I'd keep pretty close to father. Another day the baby would be accompanied by "Why Should the Spirit of Mortal be Proud?" I thought a good deal about it but was never able to answer the question.

At times father's mood would change, and sitting down he would trot the baby on his knee and sing "It mus' be now de kingdom comin' in de year ob Jubilo." Or "I'll bet my money on de bob-tail nag, somebody bet on de bay." Although he loved music it was hard for him to carry a tune, and he kept time better when he marched, than when he sang. I'd have to help him keep the tune. We might go on and sing "Lightly May the Board Row," "Little Brown Jug," "My Bonnie Lies over the Ocean," and "Old Uncle Ned." When a circus came to town we added to our list that popular classic of today, "The Daring Young Man on the Flying Trapeze."

Aside from being a lawyer he was an arbiter and peacemaker. People were always coming to him with their troubles. If a wayward child ran away from home, if a man quarreled with his wife or if a person went crazy, someone concerned came to father for help. When boys broke windows in the Chinese laundry, a Chinaman came to complain, if they chased a ranchman's cow, he came, no matter what those boys did, although he might not approve of their actions, he was the one who had to be peacemaker for them. He felt that someone must keep them from going from bad to worse. Billy Owen, his young brother-in-law, was one of the ring leaders. Most of them grew to be good men and held responsible positions. In later years they would tell how Colonel Downey had been their best friend.

As father became interested in politics and busy more and more with projects of Laramie or Wyoming, gradually the burden of the home and responsibility of the younger children shifted to mother's shoulders. She was equal to it, on she went with indomitable courage and strength urging the children who had talent to use it to advantage. With her help and by their

own perseverance they followed their chosen paths bringing honor to the home and to their pioneer mother who deserves it.

Father had several outstanding traits or ideas of his own.

He never allowed us to borrow. If we were out of anything we must do without or someone must go to the store after it. But we could lend to the neighbors.

Every hungry man who came to the door must be fed, and there were many.

He thought a married woman, especially his wife should wear a bonnet. When hats came into style, several times she came home with one, but it always had to go back to the milliner to have wide silk or ribbon strings put on to tie under the chin. According to his idea this transformed it into a bonnet.

As a rule he was late to meals and we children were sent to his office to tell him dinner or supper was ready. It was a happy excursion when we could take the baby in the buggy. This delighted father but delayed rather than hurried the meal, as whoever was in the office stopped to admire the baby.

At Christmas father always had a varied assortment of pocket knives to give away. Jack knives for boys, pearl handled ones for others. In those days friends exchanged gifts and if one unlooked for came to the house, or an unexpected guest arrived he always had just the knife suitable. After I was grown I still had several he had given me at different times, even to a tiny watch charm penknife with mother-of-pearl handle, that he had given my mother many years before.

Often father read aloud evenings as many men did in those days. Usually from the best periodicals of the day, or from the classics. He also read humorous selections. The Youth's Companion came for us children.

He took great pleasure in dinner parties, especially those in his own home. These called for the best china, tall thin-stemmed goblets and polished silver, including cake baskets and the table caster. After dinner the evenings were spent in a social way. Some played the piano and sang, others told stories or read selections. Judge Meldrum usually sang "Tenting Tonight," "Faded Coat of Blue," and "Flow Gently Sweet Afton." He could play a few chords on the piano to accompany himself. Later Bill Nye and his wife came to Laramie and contributed their talent to the gatherings. "Kathleen Mavourneen," "Mocking Bird," "Old Kentucky Home," and "Maryland, My Maryland," were among father's favorites. He was fond of negro melodies and songs of the Reconstruction period, most of them sad.

These old timers as a rule, made a good living and had as comfortable homes as was possible under the conditions. We had brussels carpets, in flowered patterns, lace curtains, marble top dressers and tables, and plenty of good lamps. Father was a good provider. I remember there were usually several barrels of apples in the cellar or elsewhere covered with strips of carpet or sacks, to keep out the frost, a wooden box of raisins in bunches on the pantry shelf along with many other tempting things. A good deal of the time there was a hired girl to help with the work. Father never asked how she could use so much butter, or what had become of the soap. He wanted his family to have the best he could give them.

Women and children wore so many garments and they were so frilled and tucked it was hard to keep the laundry done. A woman used to come once a week to wash and iron. Sometimes I'd be sent out to the wash house (it would be laundry now) to see if she needed soap or starch, and I liked to sit on a box in the corner until she found out. She'd tell me about her two little boys. If a coal train had come in sometimes they'd take empty gunny sacks and walk up the track to pick up any lumps of coal that fell from the top of loaded cars. If the cars bumped many times there'd be plenty of coal for all the boys who went after it.

She hoped she'd get home before their father, so she could help the boys hide the coal. If he got there first he'd take it up to a saloon and trade it for whiskey. Sometimes she'd sing her favorite song,

"Father dear father come home
with me now,
The clock in the steeple struck
one"
(then two- then three),

as she shook out an infant's dress a yard and a half long trimmed with tucks and lace, or the best embroidered pillow shams, to admire them. We children often looked to see if there were two little turnover pies left we could send the boys, if not we could get some red apples.

With the wind blowing as it did, ashes and dirt from stoves and no modern conveniences it was hard to keep the houses clean. In summer too, the flies were bad. The screen doors were covered with mosquito netting instead of wire mesh, and not quite satisfactory. Every morning with window shades down we drove out the flies, using feather dusters. To our consternation they would all be in again by night. But I remember in Maryland my grandmother had

a long brush made of peacock feathers, that the colored boy used to keep the flies away from the dining table. Wire screens came into use later.

The men of the community were working together to better conditions in every way, they wanted to stamp out vice and crime. The wives helped in these things and looked after their families. For diversion they had lessons in painting, making wax flowers, enlarging pictures, and various kinds of embroidery and art work, as different teachers came to Laramie. Now and then Church affairs were held, as a rule before election, to bring out the candidates, who would find out how popular they were and buy chances on the family album or swinging silver water pitcher, or a doll for someone's baby.

The Literary Association also gave public entertainments that called for the talent of the town. Sometimes we were taken to these and could enjoy hearing different members sing, "Leave the Beautiful Gates Ajar," and such heart breaking songs, livened up by "Comin' Through the Rye," "If the Men Were All Transported," and many others, some of them in costume. These were interspersed with tableaux, recitations and readings. "Over the Hills to the Poor House," "The Bells," "Barefoot Boy," and "Maude Muller" were among the favorites.

Parents were never too busy to take time off for an entertainment the children might enjoy. When the midgets Mr. and Mrs. Tom Thumb, her sister Minnie Warren and Commodore Nutt, were being shown over the country, they stopped off in Laramie. Other midgets much smaller than these have been shown since, but none so widely known. Without the aid of radio, airplane or auto, they had been brought into fame by Barnum and his circus.

When they came to Laramie they had with them a small gorgeous barouche which had been presented by Queen Victoria of England. The body of it resembled an English walnut. When these four little people were exhibited in Ivinson's Hall, Mrs. Tom Thumb and Minnie Warren wore long trained dresses made of rich satin, in the latest styles and many valuable jewels they had received during their world travels. It was a day we children would never forget.

The churches all joined together for the Christmas tree, and this was an outstanding event. All of the parents worked together but no one enjoyed doing it more than father. In those days there were no glass and tinsel ornaments, but all were fashioned in a magic way of glossy red and green, and silver and gold paper, by the mothers. Candy bags of tarleton, festoons of popcorn and cranberries decorated this tree, while dozens of candles threw a radiance over the fragrant branches, instilling in all of us the spirit of Christmas.

The tree was loaded with picture books, toy wagons and tin horses, dolls and everything to delight children. Warm mittens, scarfs and books of adventure for half grown boys and girls, and many hand made articles for grown ups. Pop corn, candy and apples for all. China dolls with sawdust bodies, pink cheeks and painted yellow or brown hair, displaying gay and wonderful dresses and bonnets, nodded to us from the branches. If a bracket lamp smoked the chimney, if ashes sifted from the red hot stove, or if one letter in the evergreen motto "Peace on Earth," slipped from place, parents may have been disturbed, but to us children nothing mattered except that it was Christmas Eve. Christmas carols never meant more than they did in that pioneer church, as they echoed in the rafters, and were carried off on the frosty air.

In my mind is a vivid picture of father at a patriotic meeting, standing near the flag he cherished. Now and then his hand would touch its folds, as in a magnetic way he talked of the love of country and home, of Lincoln and brotherly love, or of Wyoming and its future.

(Signed) Fanchon Downey Smith.

Address:
5608 Ocean View Drive
Oakland, California.

Spring 1937

Death of Colonel Downey - August 3, 1902.

Source: Laramie Republican 1902

LESSON OF COLONEL DOWNEY'S LIFE

The death of Colonel Stephen W. Downey has left another gap in the thinning ranks of the pioneers, who came with the buoyancy of youth to build up Wyoming, in the days when it was away out on the frontier. It took much courage then to create law and order from the chaos which prevailed, and it is largely due to his efforts that our struggling community was built upon the solid foundations of law and order. In common with others, living and dead, in the great work of reclaiming the desert, erecting school houses, planting homes, mining and the encouragement of proper immigration, he worked with herculean efforts to warm the inhospitable heart of Nature. It took men like these to stand by the country through good and evil report, and to sacrifice the precious years of the prime of manhood towards the upbuilding and the uplifting of the Great West. Colonel Downey's vision was deeper than most men and he

saw early the possibilities of the great arid region and the certainties of the mineral wealth of the mountain region that lies around about us. His many and discouraging attempts to develop a great mine it is true enured largely to the benefit of others who were fortunate enough to find the right spot, yet his failure was a necessity in order that success might be rendered possible. His faith never wavered and failure did not dampen his ardor. It is to men like these, more than to the cautious, conservative and shrewd that we are indebted to our growth as a city and county for it seems to be an inexorable law that the pioneers must blaze the way for those who come to reap the shining harvest. But his great success was in dealing with men and in securing by happy tact, advantages for this community, that could not have been won in any other way than by persistent and tactful work. Largely through his efforts the University was located here, and other advantages secured that will be of larger benefit in the course of time. His cheerfulness through great discouragements, his unfailing serenity of temper under the greatest of provocations and his unceasing work for the public are the causes which crowd his bier with the tributes of a grateful people. Unsuccessful, perhaps, in his own business ventures, he was always triumphant when he urged the claims of his people and his friends, and that will cause his memory to be revered as the days pass by.

The words of Joaquin Miller, one of his favorite poets, may fitly be quoted as applicable to him in his strenuous, but at times unsuccessful, efforts to win a fortune:

"Oh, great is the man with sword undrawn,
And good is the man who refrains from wine;
But the man who fails and yet still fights on,
Lo, he is the twin born brother of mine."

--H. V. S. Groesbeck.

CHAPTER V

FIFTH GENERATION

THE DOWNEY FAMILY OF LARAMIE, WYOMING

Laramie friends often told me that I should write the story of my family. What an assignment! How could I condense the stories of the twelve children of that energetic and colorful family into one book? I hope some day other family historians will tell their stories in full. In order that their records shall not be lost, one paragraph about each is included in this chronicle.

Childhood memories are vivid but often misleading. I feel sure no two children in the family would remember Laramie days and the years we were growing up in the same way. If I were to name the most lasting impressions of my childhood, they would include books, picnics, pets, arguments at the dinner table, all seasoned with love and differences of opinion vocally expressed. We all loved to talk and argue.

But, because this account is to be as objective as I know how to make it, I'll put aside my thoughts of long ago and assign my first paragraph to my oldest half-sister. She married and left home before I was born.

Beulah B. Downey was born in Piedmont, West Virginia, in 1862. She married a promising young banker, in 1886. She was very beautiful, sensitive, and impractical. She literally died of a broken heart after her husband became involved in a financial scandal. She had no children.

Fanchon Downey was born in Washington, D. C., in 1865. She married Bert L. Smith. They had two children: Margaret (Prestridge) and Bert, II.

Bert L. Smith II, is now one of the best known men in California in the field of western water policies. He is an excellent speaker and spends much of his time in Washington in public relations work for the State of California.

Bert, II, carries the Downey line into the eighth generation in the person of his grandson, Bert L. Smith, IV.

Stephen Corlett Downey was born in Laramie, August 29, 1873. He was the oldest in the family. He had a remarkably brilliant mind. On the death of his father he became second father to the younger members of the family. He was lame almost from birth from an attack of polio. This handicap, plus an unhappy love

affair, and the fact that he assumed many financial obligations upon the death of his father restricted his life in some measure.

He served as County Attorney and Mayor of Laramie. He was one of the most influencial Republicans in the state. He died March 15, 1934. His last illness was aggravated by the strain of a long murder trial in which he served as defense counsel and from which he refused to retire until the verdict was brought in.

The Laramie Republican published the following editorial at the time of his death:

> CORLETT DOWNEY
>
> Corlett Downey was for so many years a familiar figure about town, and had a share in so many civic activities, that it is hard to realize that he will no longer be a part of them. While most of his friends realized that his recent illness would prove fatal nevertheless the news of his death came with no less a shock than if it had been unexpected.
>
> In thinking of Corlett Downey one calls at once to mind his intense loyalty to his friends and associates and to the things which absorbed his interest. His friendship was something that really counted, for once he took a person into his confidence he never forgot him. All through the years he remained loyal to him.

> But it was in his home life that this quality of loyalty and devotion had its most beautiful manifestation. He was a devoted son and brother, and to the large circle of his nephews and nieces he was a veritable fairy godfather. His thoughtfulness, his generosity and his kindliness to each and everyone of them was a wonderful thing. So the hearts of Laramie go out to Mrs. Downey and the members of her family.

June Etta Downey was born July 13, 1875 and died October 11, 1932. For many years she was Professor of Psychology and Philosophy at the University of Wyoming. She wrote eight books, seventy-three psychological articles, innumerable poems, stories, essays and popular articles. She was the genius of the family!

To try to encompass her life in a page is impossible. Nor can I be objective about a sister so dearly loved - so greatly admired. Her untimely death was the first great sorrow of a happy family.

Once again I shall let the words of another tell of her life and of its influence on family, friends, students, and colleagues.

Source: A memorial pamphlet published by the faculty of the University of Wyoming, June, 1934.

In Memoriam

June Etta Downey

1875 - 1932

A frail little woman whose quiet, uneventful life was almost completely circumscribed by the four walls of a dingy attic workroom. So might one have thought who saw only the outward circumstance, yet nothing could have been further from the reality.

Life for June Downey was an exciting adventure of the mind and spirit. She was an intrepid explorer faring zestfully into the unknown. She could not if she would walk safely and soberly in the beaten track. Her eager spirit must perforce leap ahead, blazing its own trails, discovering new regions of beauty and richness, visioning still richer ones just beyond. Each day of her life opened the way to some new experience, some new adventure. "And the little universe of a day expands to the limits of the farthest star," she wrote; and again, "an infinite present ours if we open our eyes."

Although she knew and deeply loved the cultural heritage of the past, her mind and imagination were always reaching out into the future in whimsical fantasies, new schemes of research, new artistic and literary forms, dreams of a more rational social order.

Such adventuring must needs be solitary, yet we who loved her know how eagerly she shared ideas or fancies, how gladly she welcomed a comradewho could go even a little way along with her. Each of us treasures precious memories of some casual conversation suddenly transmuted into a rare experience in which senses, mind and spirit were stirred and uplifted by a swift glimpse of some far-off horizon.

> To the scholar and teacher whose distinguished achievements are the pride of her Alma Mater, to the satirist who exposed so many human foibles and weaknesses yet never sat is judgment, to the counsellor whose gentle wisdom was a source of strength and comfort for administration, faculty and students, to the adventurer who opened our eyes to an infinite present, the University of Wyoming dedicates this memorial volume.

Norma Downey was born June 17, 1877 and died February 10, 1956 in Berkeley, California. She was the confidant and comforter of the family. One understood instinctively that she would never marry. What would the family particularly the children do without her protecting care and devotion? She suffered almost complete blindness and a long illness before her death, but she was never unhappy.

Her nephew, Richard Nelson, shortly before her death wrote the following paragraph about her:

> "We have managed to see Normy every week. She doesn't change much but seems to disappear a little more in her bed each time. She is weaker and talks with more difficulty each time - - - but has not lost any perception while we have been with her. Her nurse spoke to me with a deep admiration of her spirit which is steady and strong and unyielding.

> "It is strange and heart-rending to me to see coming out in her now what I can only describe as a sort of pioneer spirit; she doesn't complain or question her fate but instead of weakness and resignation there is strength and quiet determination to hold out while she can. How strange, that now, when she can talk little and move less, there seems more depth and strength than before."

For many years Mother, Corlett, June and Norma lived together in the old family home. It was the rendevous for those of the family who had left Laramie to return to every summer. Two married daughters and six grandchildren lived close by. So family reunions were happy occasions for many years.

Willie Virginia Downey was born September 20, 1879. She was the first in the family to marry. Her husband was a successful banker, R. G. Fitch. They had three children and lived for many years next to the old family home in Laramie. Willie supplied the cool judgment and the calming influence often needed in the turbulent, noisy, talkative Downey family. Her daughter Virginia (Mayne) died in Sacramento, California in 1949; Robert Fitch, Jr. now lives in Los Angeles, California. Willie now makes her home in Dallas with her daughter Dorothy (Wells).

Owen Dorsey Downey was born December 6, 1881 and died in Los Angeles in 1916. He married but left no children. Owen was different from others in the family. He liked to do rather than to talk. He cared little for books or abstract ideas. He had a sunny, happy disposition. I best remember Owen's merry whistle, which always announced his coming into the family group.

Sheridan Downey, Senator, author, and orator, was born in Laramie, March 4, 1884. He married Helen Symons, daughter of a pioneer Laramie family. They had five children: Margaret Densmore, Sheridan II, Jane (Wilcox), Richard and Patricia (Brogden). The Sheridan Downeys Jr. have a son Sheridan III to carry on the Downey name in the ~~sixth~~ seventh generation.

Sheridan served in the U. S. Senate from California for two terms from 1938 - 1950. He was unable to run for a third term because of ill health.

His health was sacrificed in his fight for two reforms in which he believed passionately. He was one of the first to demand pensions and security for the aged. For this he was ridiculed and assailed. But today that battle is almost won.

He also contended that the water rights of the western states must be controlled by the states themselves and not placed under the power of the Federal Government. That theory is accorded firm support today by many who at first bitterly opposed or were indifferent to it.

Senator Downey deserves much of the credit for these two reforms. He was not afraid to wage an almost solitary battle for them when political expediency indicated it was unwise to do so. Today he should be proud to know that the battles he fought so passionately and often alone are now almost won.

Stephen Wheeler Downey II was born in Laramie, June 14, 1886. He married twice and has four children: John, Col. Stephen Wheeler III, U.S.A., Wendy (Taggart), Charlotte (Boutin). Jack has contributed four boys to date to carry on the Downey name: Michael, David, Stephen Wheeler IV, and John.

Stephen Wheeler Downey, Sr., is a well-known and very successful lawyer in Sacramento, California. He is the senior partner in the large law firm which he established many years ago. He is widely known in California as an expert in irrigation law and as a public speaker. He is a universally beloved

and admired citizen of Sacramento, where he has made his home for more than forty years.

Evangeline Downey was born October 13, 1888. She married Paul Teetor, a ceramic chemist, who made an outstanding reputation in his field. They have two sons, Paul and Stephen.

Evangeline received a B.S. in Home Economics from the University of Wyoming and later a Master of Arts from the University of Chicago. She taught at the University of Kansas. She was responsible, in a large measure, for the establishment of Pi Beta Phi on the campus of the University of Wyoming, the first national fraternity on that campus. She wrote songs, plays and jingles as well as serious articles in the field of Home Economics.

Unlike the rest of the family, her life is spent in the East - Vermont and New Jersey. She makes more friends than all the rest of the family put together. Her name is synonymous with generosity.

Alice Downey, born in Laramie December 17, 1892, is a person of one distinction. She married the most wonderful man in the world, ~~Elmer W. Nelson~~.

Dorothy Downey was born February 9, 1896. She married Morgan V. Spicer, a successful lawyer in

San Francisco. They have two children, Morgan V. Spicer, Jr. and Mary Eve (Schick).

Dorothy is the successful writer of the family in the field of popular fiction. She can sell stories and novelettes faster than she finds time to write them. Her nine (to date) grandchildren are her greatest interest and delight. Her beautiful home, high in the Berkeley Hills, is the mecca for innumerable relatives to gather and to exchange family news. The Spicer's nickname should be "hospitality". They dispense it in ever larger and more cordial doses as the years pass, and members of the family, in ever increasing number, move to California.

For more than sixty years, 1887-1948, a daughter, a son, or a grandchild, was enrolled as a student at the University of Wyoming. In the early days of its establishment, the number of students contributed by the Downey family helped to swell a very small student body. The Downeys took part with enthusiasm in every activity of the town and University. Laramie was their town and they loved it.

Now, in 1956, not a single member of the family remains in Laramie. Many of the children live

in California; one daughter's home is in New Jersey; one in Washington, D. C. The sons and daughters of this family, like their ancestors, sought different environments, greater opportunities, and one by one they left their native town and established homes elsewhere.

* * * * * * *

No, there are no Downeys left in Laramie. But two of our family still live there, Neale Roach and Katy Roach Peckenpaugh - first cousins on our mother's side of the family - grew up next door to us. Katy was like another sister, always there to help. One of my most vivid memories as a child is the Sunday afternoon visits that Neale and Hilda paid to "Aunt Eva". No son could have been more devoted to her. We knew we could count on Neale's assurance, his unfailing business ability, and his practical judgments to help us when we needed them.

How good it is to know that Katy and Neale are waiting to welcome any of our family who returns there for a visit. It makes Laramie still seem like "our town".

The story of the Downey family would not be complete if Neale and Katy were omitted.

CHAPTER VI

THE ELMER K. NELSON FAMILY

In order to record something of my own family story, I claim the privilege of a genealogist and change the family name from "Downey" to "Nelson".

I am as proud of my husband's ancestry as I am of my own. Among his forebears were many teachers, army officers and farmers. His mother and father were born in Denmark. His father, who lived to be ninety-nine, personified for us - as he did for all who knew him - integrity, calm judgment, serenity and great gentleness. I need not add that his son inherited these traits in full measure.

The Elmer K. Nelsons were married August 29, 1917, in Laramie, Wyoming. Shortly afterwards Elmer K. Nelson was ordered to active duty as a Second Lieutenant in the United States Army Engineers. We spent the war years chiefly in the South: Augusta, Georgia; Fayetteville, North Carolina; and Pensacola, Florida.

When the war was over in 1919 we returned to Cheyenne, Wyoming, to make our home. The memories of our war experiences and of the terrible influenza epidemic, which almost took both our lives, was soon an almost forgotten nightmare. The depression of

1920 dictated our decision to move to Laramie where the prospects were bright for a consulting engineering practice. In the more than twenty years that we lived there, Elmer Nelson built his reputation in hydrology and supervised the spending of millions of dollars in municipal improvements in various cities of the state.

Our oldest child, Barbara, was born in Cheyenne in 1920. Shortly afterwards we moved to Laramie and lived there until 1943 when the Second World War took Elmer Nelson to Sacramento, California, as a civilian engineer employed by the U.S. Army Engineers.

By 1921, when we returned there to make our home, Laramie was one of the pleasantest small towns in the United States in which to bring up a family. The Nelsons had a wide circle of delightful and stimulating friends. The University of Wyoming, located there, contributed many educational advantages. Our home was on the edge of its beautiful campus, which became our children's front yard. Forty miles away was our enchanting summer home, a picturesque log cabin nestled snugly below snowy Medicine Bow Peak high in Wyoming's Rocky Mountains.

The twenty years that we lived in Laramie were happy ones. The Second World War and Barbara's wedding in 1942 brought great changes to our tranquil lives and scattered our once united family from Washington, D. C., to Japan.

How can I write objectively about my husband and my children? A few records and clippings from the family scrapbook must tell the story of eventful past years and predict the future of new families and promising careers just beginning.

We shall start with the most important member of the family, ~~Elmer Kingsholm Nelson~~ I.

His record:

2nd Lt., Corps of Engineers, U.S.Army, World War I.

Practice of civil engineering in Cheyenne and Laramie, Wyoming, 1916 - 1923.

City Engineer-Manager of Laramie, 1923-1939.

Consulting Engineer to Wyoming - in connection with North Platte River litigation before the United States Supreme Court, 1939-1943.

Engineer on professional staff - U. S. Senate Committee on Interior and Insular Affairs, 1947 - .

Degrees:

B. Sc. Engineering
C. E., Civil Engineering
Universities of Wyoming and Nebraska

Member, American Society of Civil Engineers.
President, Wyoming Engineering Society.
Member of School Board, Laramie.
Commander, Albany County Post, American Legion.
Administrator, Civil Works Administration for Albany County.
Head of Civil Engineering Dept., University of Wyoming, 1930-1931, substituting for Dean of the college temporarily on leave.

Editorials - Laramie Republican.

Mr. Nelson has given Laramie a quality of service and an amount of labor in the working out of plans for city water sewer and other services which are of the highest order and way beyond that which small cities usually secure. For many years to come we shall benefit from his good work and be saved the expense of doing over things which he started. He has served the city well in many, many ways.

* * * * *

C.W.A. has been a great help locally. For the success of this accomplishment, and the small amount of friction involved in prosecuting the different projects, the big part played by our city engineer, Elmer K. Nelson, should be stressed again and again. Not only has Mr. Nelson given unlimitedly of both his time and experience but he has put into these added responsibilities an amount of sympathetic understanding and enthusiasm not ordinarily found in such undertakings. The results speak for themselves. Laramie and the county can know that they got their money's worth, and the men on the jobs also know that they received every consideration to which they were entitled.

Letters of appreciation:

THE STATE OF WYOMING

Executive Department

Cheyenne

November 28, 1939

Mr. Elmer H. Nelson
111 South 2nd
Laramie, Wyoming

Re: Nebraska v. Wyoming
and Colorado.

Dear Mr. Nelson:

I have had called to my attention the excellent work done by you in the engineering field of this litigation.

You have looked upon this matter as one of public interest and not of personal remuneration. I am sure that the citizens of the State of Wyoming greatly appreciate the services which you have rendered in this case.

With personal regards, I am

Sincerely,

Nels H. Smith

Governor of Wyoming.

THE STATE OF WYOMING

Legal Department

Cheyenne

November 28, 1939

Mr. Elmer R. Nelson
111 South 2nd Street
Laramie, Wyoming

Re: Nebraska v. Wyoming
and Colorado

Dear Mr. Nelson:-

I would be amiss in my duties if I neglected to thank you for the wonderful work which you did in assisting in the North Platte suit.

I know personally that you spent long and tedious hours in preparing Wyoming's case. The work which you did in a period of three months speaks well for itself and I want to assure you that this office is grateful for the services which you rendered.

Sincerely yours,

Ewing T. Kerr

Attorney General.

1956 finds Elmer R. Nelson at work in the Senate Office Building in Washington, D. C., doing the work he likes best; checking engineering reports with which he is concerned to be sure that they are objective and accurate; fighting to protect the

water rights of the western states from encroachment by the Federal Government.

To his family, he is an inspiration!

OUR CHILDREN

Barbara (Barbe) Downey was born December 9, 1920, in Cheyenne, Wyoming. She entered Wellesley College in 1938. She graduated from the University of Wyoming in 1942, Cum Laude. She was a member of Pi Beta Phi, Phi Beta Kappa and President of Mortar Board, senior honor society.

She married Richard (Rich) Arnold Mullens on Easter, April 5, 1942. Rich graduated from Law School, University of Wyoming in 1942. He was a member of Alpha Tau Omega. He was immediately ordered, after graduation, to active duty with the Amphibian Command and saw service in the Pacific Theatre during World War II. After his discharge, he was soon recognized as one of the Government's outstanding tax attorneys, and served as a member of the Legal Advisory Staff of the United States Treasury Department in 1954. He is now associated with the law firm of Hogan and Hartson in Washington, D. C.

While Rich was overseas, Barbara served on the staff of Senator Downey of California. She was a member of the faculty of Monet School in 1953 and 1954.

The Mullens have three children: Sherry Anne, (b. Oct. 13, 1947); Joan Margrethe, (b. June 20, 1949); and Elizabeth Brook, (b. Sept. 20, 1955); all of whom were born in Washington, D. C. Their home is at 2733 - 36th Street, N.W., Washington, D. C., nearby the beautiful National Cathedral.

Elmer K., II, (Kim) was born September 14, 1922 in Laramie, Wyoming. He entered the University of Wyoming in 1939 and received his B.A. degree in absentia, June, 1943. In February 1943, he entered the Army as a private; he was promoted to 1st Lieutenant and served as Assistant Director of the Army Social Adjustment Training Program for Blinded Soldiers at Old Farms Convalescent Hospital, Avon, Connecticut. He married Jane Oliver Beckwith of New London, Connecticut, August 4, 1945. They returned to Wyoming in 1946, and Kim completed his law school work and psychological studies receiving an L.L.B. in 1948 and a M.A. degree in 1949.

After three years with the California Probational and Correctional Institutions, he was selected to establish a division of criminology at the University of British Columbia, Vancouver, Canada. He made an outstanding reputation there as a criminologist. In the spring of 1956, he was named as an Associate Professor of Criminology by this institution. In the summer of 1956, he completed his residence and qualifying examinations at the University of Southern California for a doctorate in Public Administration.

In the fall of 1956, he was granted leave of absence from the University of British Columbia to become Superintendent of British Columbia's new Rehabilitation Center for prisoners. No greater challenge or opportunity could be offered to a young criminologist!

Kim and Jane have one child, Elmer K., III, (Kirk), born January 24, 1947, in Laramie, Wyoming.

Richard Corlett (Rick) was born November 3, 1927 in Laramie. He graduated from Sacramento, California, High School in 1945, valedictorian of his class. He enlisted in the Army shortly after

moving to Washington, D. C. He was sent to Japan and volunteered as a paratrooper. He received his wings from the Yamoto Jump School in 1947.

He entered Stanford University in 1948 and was a member of Kappa Alpha Order. He was awarded his B.A. degree "with Distinction", was made a member of Phi Beta Kappa, and graduated from Stanford Law School in 1952. He was awarded a fellowship at New York University, receiving his L.L.M. degree there in 1953.

Following his graduation, he was appointed Assistant United States Attorney at San Francisco. He resigned this position to accept a legal assignment with a California manufacturing company in San Francisco.

On December 27, 1952, Rick married Louise Keeler McIntyre of Berkeley, California. They were married in Saint Mary's Chapel, Washington Cathedral. They have one daughter, Anne Sterling, (b. July 8, 1955). They now make their home in beautiful Marin County, eighteen miles from Rick's office in San Francisco.

CONCLUSION

1756 - 1956 - what a cavalcade of American history those two hundred years have included.

There have been many wars. The first Thomas Downey gave his fidelity and his assistance in the struggle for American independence. His son witnessed the futile war of 1812. The third and fourth generations of Downeys saw America torn apart by the Civil War. The fifth generation sent its sons to fight on foreign soil in the First World War. The sixth generation supplied men for every branch of the armed services of the United States in the Second World War.

No, there has not been peace! But wars are only a part of the American story. America has produced men of courage - of high ideals. The material prosperity and social benefits of its citizens are the greatest in the world.

This member of the Downey family finds herself living very near to that tiny port where her emigrant ancestor landed. He would be unbelieving, I think, if he could see the America of 1956. But if he could call the roll of his descendants, he would be well satisfied. Few have achieved greatness, but

his descendants exemplify, in good measure, the best qualities of American citizens. They possess today many of the advantages of which the first Thomas Downey must have dreamed of attaining when he set out on his great adventure.

To Thomas Downey, these descendants owe eternal gratitude for that greatest of all gifts which he bestowed upon them:

They are citizens of the United States of America.

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